



Montana Fish, Wildlife & Parks

**MONTANA FISH, WILDLIFE AND PARKS
1420 EAST SIXTH AVE.
HELENA, MONTANA 59620**

EA Decision Notice
Larry Schultz Fur Farm
Roy, MT
Decision Notice
October 22, 2014

Proposed Action

Fur Farms--whether for the purpose of pelting adult furbearers or selling of live furbearers--are allowed by Montana statute § 87-4-1002, Montana Code Annotated (MCA), and are regulated by the laws under that section as well as by the Administrative Rules of Montana (ARM) 12.6.1702.

Montana Fish, Wildlife and Parks (FWP) received an application dated June 18, 2014 from Larry Schultz for a commercial Fur Farm License to raise and sell domestic Bobcats in the commercial fur industry. The proposed Fur Farm facility would be located at 5700 Romunstad Road, Roy, MT 59471.

FWP proposes to issue a Fur Farm License to Larry Schultz and Carol Bomstad with the address of 5700 Romunstad Road, Roy, MT 59471. The license will allow the possession of captive-reared bobcats, lawfully obtained from a licensed dealer, for propagation and for sale of the pelts in the commercial fur industry.

Prior to FWP issuing this license, Larry Schultz must be in compliance with all applicable FWP Fur Farm rules and regulations, as well as any applicable Fergus County regulations and licenses. It is Larry Schultz's responsibility to keep current with any changes in the laws or regulations.

Montana Environmental Policy Act

FWP assessed the impacts of this proposal to both the human and physical environments. These effects were disclosed in the draft Environmental Assessment (EA) to comply with the requirements of the Montana Environmental Policy Act (MEPA). The Larry Schultz Fur Farm EA was first available for public comment from July 24, 2014 through August 29, 2014. Legal notice was published once and was picked up by the Associated Press and published nationwide in most major media markets. FWP also hand delivered the EA to adjacent landowners and mailed copies to interested individuals, groups and agencies (County Commissioner, Fergus County Sheriff, local MT HHS, BLM, and the USFWS. The EA was available for public review and comment on FWP's web site (<http://fwp.mt.gov/>, "Recent Public Notices") from July 24, 2014 through August 29, 2014.

Summary of Public Comment

FWP received approximately 21,185 total comments (multiple comments from the same individuals – either comments by petitioners and in a petition and comments from members and identified in group comments) representing 21,182 individual people and two groups and one petition (PETA, The Humane Society of the US, and a petition (900 signatures) submitted through a web link and address "Cats are not Crops" - Don't Allow Bobcat Fur Farming in Montana!) . Comments were from persons indicating home residence from all over the world and every state in the US. There were 20 letters sent via postal service all opposed to the permitting of the Fur Farm and represented individuals from Montana, California, Washington, Oregon, New York, Alberta BC, Minnesota, Florida and Ohio. Of the total comments received, 20 comments supported this specific proposal, and the remaining opposed the proposal based on principle and objection to the Fur Farms and fur industry. However, there was no substantive opposition to the laws or regulations in Montana that reflect opposition to the permit. All comments may be viewed by contacting Michael Lee, Commercial Wildlife Permit Manager at FWP's Enforcement office in Helena (1420 E. Sixth Ave., PO Box 200701, Helena, MT 59620-0701).

Public Comment and FWP Responses

Below is a summary of public comments and FWP responses. For ease of response, similar comments from different parties are grouped together if they expressed a similar view or posed a similar question.

Comments: Favor the proposal related to economic development in the area.

FWP response: This is a business and the potential for local tax revenue and direct revenue to other businesses are possible but are not under the FWP control.

Comment: Fur Farms are inhumane and cause harm to native animals that should be free (high% of comments received had some form of reference to this):

FWP Response: Fur Farms are a legal business and are controlled and monitored under Montana code 87-4-1007 (Inspection) to assure licensed operators comply with the law.

Comment: The space identified in the EA that each animal will have is less than the 42 square feet the AZA recommends.

FWP Response: Fur Farms are not required to meet AZA criteria.

Comment: Bobcats are wild animals and should be respected as wild animals.

FWP Response: These bobcats are captive bred and raised and are not under Montana law wild or wildlife but domestically raised, considered private property and can be used for the purpose identified as furbearer and industry standards and rules.

Comment: These animals will be inhumanly killed in methods contrary to the AVMA standards.

FWP Response: The methods used to dispatch these animals are up to the producer but there are industry standards that are recognized and used.

Comment: The environmental impacts due to waste and chemical releases from fur farms is well documented and there will be impacts to the surrounding land, vegetation, wildlife and environment therefore this should not be permitted.

FWP Response: The fur farm owners and operator must comply with state standards set out by DEQ and EPA for discharge of any materials that maybe hazardous to the environment.

Comment: Very specific theme and expressed philosophy that fur farms are not acceptable and killing animals for fur is barbaric and no longer acceptable in today's world.

FWP Response: Fur Farms are a recognized legitimate and licensed business and Montana.

Comment: Bobcats from this can be sold in the pet trade and kittens will grow up and be dangerous to people because they are still wild animals.

FWP Response: Many municipalities, counties and towns prohibit owning them as set by local ordinances. There is no state law that prohibits the fur farm from selling to individuals.

Final Environmental Assessment for Fur Farm

Although minor impacts were identified, no potentially significant impacts to the human or physical environment were identified in the EA or through public comment. The EA and this decision notice with all applicable mitigation measures for licensing will serve as the final EA document.

After thorough review of the application, it is determined that there are no significant findings of potential environmental impacts or credible legal challenge to the laws and regulations regulating fur farms.

Mitigation measures included for this Fur Farm License

1. FWP has the right and responsibility under § 87-4-1007, MCA, to conduct periodic inspections of Fur Farms. Inspections by the USDA will assure the welfare of the animals housed on site in compliance with the Animal Welfare Act.
2. Fur farm operators must comply with all state statutes and administrative rules concerning fur farm operations. This fur farm license is subject to revocation for non-compliance of any of the aforementioned under 87-4-1013, MCA.
3. This licensee must comply with all laws and regulations in 87-4- Part 10 MCA "Fur Farms".
4. Fur Farm operators must also comply with all regulation that DEQ and EPA may have regarding use of chemicals and discharge of waste which are not monitored or controlled under the authority of FWP.

Decision

Based on the information in the EA, it is FWP's decision to proceed with the proposed action to approve and issue a Fur Farm License to Larry Schultz of 5700 Romunstad Road, Roy, MT 59471.

Based on the analysis in the EA and applicable laws, regulations and policies, FWP has determined that this action will not have a significant effect on the human or physical environment. Therefore, FWP concludes that the EA is the appropriate level of analysis, and an Environmental Impact Statement is not necessary. If you have questions regarding this decision notice, please contact the FWP office at the address or contact numbers in the document letterhead.


Gary Bertellotti
Region 4 Supervisor

10/22/2014
Date